

Kenknight, Jeff

From: Cool.Richard@epamail.epa.gov
Sent: Friday, February 15, 2013 12:08 PM
Subject: Fw: overview of the major areas of concern raised by Russ Maddox

FYI, just as I understood Dianne Soderlund's original call and follow-up emails, Kristin is the POC for "final" responsive communications with Russ Maddox.

----- Forwarded by Richard Cool/R10/USEPA/US on 02/15/2013 12:06 PM -----

From: Kristin Ryan/R10/USEPA/US
To: Richard Cool/R10/USEPA/US@EPA,
Date: 02/15/2013 11:56 AM
Subject: overview of the major areas of concern raised by Russ

The last two: flint hills and aurora power plant are being address currently even though Russ doesn't agree the State is doing a sufficient job on flint hills. Rick Albright basically said that the state is doing a good job on that site and EPA wouldn't be doing anything differently so there was no point getting more involved. Even though Russ says below that Rick was vague, I thought he was quite clear. So the only two areas that I need to develop responses about is seaward ship dry dock and the seaward coal loading facility.

Kristin

Kristin Ryan

Acting Deputy Director
Environmental Protection Agency
Alaska Operations Office, Region 10
ryan.kristin@epa.gov
907-271-1316

----- Forwarded by Kristin Ryan/R10/USEPA/US on 02/15/2013 10:50 AM -----

From: Russ Maddox <russmaddox@Exemption 6>
To: Kristin Ryan/R10/USEPA/US@EPA,
Date: 02/14/2013 04:19 PM
Subject: Cases,

Hi Kristin,

I am glad to have you as a formal contact with EPA Alaska. I always enjoyed working with you at DEC. You were always candid and friendly which was refreshing. I guess you've realized since taking your new job that many cases I worked on with DEC eventually found their way to EPA. Sadly DEC all too often seems to be an obstacle to my efforts to prevent or at least minimize unnecessary pollution. Over the years I learned that most every case I was working on had clear federal law prohibiting what I was trying to stop or prevent so I schooled myself in the federal acts and policies and worked my way up the volunteer leadership ladder with Sierra Club. I learned that with the right support and alot of determination one can make a difference. I have enough knowledge and contacts in most fields and agencies now that I am actually beginning to see at least some progress on all fronts. Below I have listed each of the sites I am currently focused on and briefly summarized my concerns.

Seward Shipyard-

The shipyard case is epic and totally unresolved as far as I see it in spite of the city and DEC's opposite opinion. The problems at the shipyard (privately leased from city) and SMIC (the industrial lands within which sits the shipyard) came to my attention in 2003 when dumptrucks started hauling in white sandlike material and dumping it in rows next door to my property. This was just before the same site where what turned out to be toxic sandblast waste was slated to be cleaned up

of existing lead contamination from an illegal burn in 2001 that contaminated my property and sparked my interest and then work on chemical trespass issues. Once I learned what it was by following the dumptruck back to the shipyard I discovered many problems with uncontained waste and waste generating operations and particulate and process water discharges that were negatively impacting land outside of their lease. After trying to work with the city and state on the problems we filed citizens petitions with EPA for a PA which lead to a Full Site Investigation. After years of litigation and the city finally getting their proper permits the very same uncontained and irresponsible practices continue on the very same land the EPA found to be contaminated. None of the hotspots were ever addressed nor were the migration pathways or sources that EPA so aptly identified. It was clear where it came from and where it went yet DEC literally dropped the ball and only made annual notations to its contaminated sites database but never any physical effort or action to minimize or eliminate the identified hot-spots, migration pathways, or sources. Now they proposed raising the required clean-up threshold so they can leave it all, and this based on 6 year old analyses and data. It is simple to see that the pollution has continued and is likely more concentrated and further reaching after all of these years. If the city and state continue to avoid addressing the known contamination I feel I will have no choice but to file another citizens petition for a new site investigation. I have plenty of evidence of continued uncontained waste generating activities since the first investigation.

Seward Coal Loading Facility-

The coal facility is old and dirty and the operators are reluctant to put any real money into improvements since they fully intend to close it when they open Port Mac. In between operators 05-06 the facility fell into disrepair. Plumbing froze and burst and wiring to baghouses corroded. At the same time the state (RF) successfully petitioned the EPA and reclassified the facility from a coal processing facility to a coal storage facility which didn't require an air permit. The former Korean operators had a permit limiting them to 70 tons coal dust emissions annually. To comply they had baghouse ventilation systems and water spraybars on the conveyors and mobile sprinklers on the stockpiles. Six years since the violations for coal dust emissions and we almost have as many spraybars on the conveyors as we had when it opened but zero baghouses and zero sprinklers on the stockpiles. Much worse off than when we started and increased volumes going through to further exacerbate the situation. Using EPA's own formula estimates are that 550 tons blow off of the stockpiles annually yet the DEC has literally allowed it to go on. The state interprets their "reasonable precautions" in monetary terms rather than risk to public health and the environment. Hopefully our (Sierra Club and ACAT) litigation will be successful at minimizing or eliminating coal dust and debris discharges to the bay. I really think the EPA should step in with an amicus or friend of the court brief or something. That dive reports virtually kills our case.

Flint Hills Sulfolane-

DEC just announced an open house in North Pole and released a new update on the sulfolane situation. Their extended silence had led me to believe they weren't paying much attention to folks but in fact it appears they have been busy behind the scenes. I thought Albright's comments about North Pole were totally vague and even evasive. I guess he just wanted the DEC to be able to announce their then soon-to-be-released update and event. Out of all of the cases this one is the most disturbing. There are folks that are still bathing in and cooking with and drinking sulfolane contaminated water. To me this indicates someone's outreach is inadequate. We need to make sure these folks understand the risks and have options.

Aurora Chena Plant Fairbanks

I imagine little can be said or done until the final report comes out in April. for the record I am still working with a whistleblower regarding potential violations at the plant. I am not sure if his observations will be helpful until the report comes out to see if there are obvious links between his observations on the inside, our observations on the outside, and your findings from investigating both. My concern with this case and the folks in the neighborhood that called on me is all of the illnesses they are suffering. Whether they are tied to exposure to pollution from the plant will likely never be clear but what is clear is that they blame the power plant. If the site investigation reveals concerning levels of contamination I sure hope a closer look can be taken of these folks medical concerns and complaints.

I look forward to working with you on these issues and freely exchanging information for our mutual benefit. Thanks for all of your efforts on behalf of our environment.

Regards, Russ